

1. Preliminary Amendment
2. Transmittal Letter in Triplicate
3. Information Disclosure Statement
4. Form PTO-1449
5. Check in the Amount of \$82.00
6. Certificate of Mailing

**JWS: wbg**

Applicants: Charles J. Winslow et al.  
Serial No.: 08/889,661  
Filed: July 8, 1997  
For: OPEN POSTERIOR LUMBAR FUSION CAGE INSERTION SET  
Examiner: Julian W. Woo  
Group Art Unit: 3309  
Docket: 203-1782 CON (1791 CON)  
Dated: October 10, 1997

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AUG 06 1998  
GROUP

203-1782 CON	

1135

50-161/214

PAY Eighty Two and \_\_\_\_\_ \$  
\_\_\_\_\_ Dollars

DATE	TO THE ORDER OF	GROSS		DISCOUNT		CHECK NUMBER	AMOUNT
10-10-97	Commissioner of Patents	3400				1135	\$ 34.00

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*John A. Duluth*

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403 3590

PATENT

Attorney Docket 203-1782 CON (1791 CON)

In re application of: Charles J. Winslow et al.

Serial No.: 08/889,661

Group Art Unit: 3309

Filed: July 8, 1997

Examiner: Julian W. Woo

For: OPEN POSTERIOR LUMBAR FUSION CAGE INSERTION SET

Dated: October 10, 1997

Assistant Commissioner for Patents  
Washington, D.C. 20231

## AMENDMENT TRANSMITTAL FORM

REC.  
AUG 06 1998  
GROUP 3200

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [ ] Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established by a verified statement previously submitted.
- [ ] A verified statement to establish small entity under 37 C.F.R. §§1.9 and 1.27 is enclosed.
- [ ] No additional fee is required.

The fee has been calculated as shown below:

	(Co. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDIT. RATE FEE	OR RATE ADDIT. FEE
TOTAL	18* MINUS 20**	= 0	X 11 \$		X 22 \$ .00
INDEP.	6* MINUS 5***	= 1	X 41 \$		X 82 \$82.00
O FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				X 135 \$	X 270 \$ .00
				TOTAL	OR TOTAL \$ .00
					ADDIT. FEE \$82.00

\* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

[ ] Please charge Deposit Account No. 04-1121 in the amount of \$ \_\_\_\_\_. Two (2) copies of this sheet are enclosed.

[X] A check in the amount of \$82.00 is enclosed.

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(b)

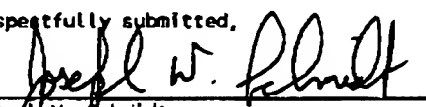
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 10, 1997.Dated: October 10, 1997

Joseph W. Schmidt

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §§1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

DILLWORTH & BARRESE  
333 Earle Ovington Blvd.  
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(516) 228-8484

Respectfully submitted,

  
Joseph W. Schmidt  
Registration No. 36,920  
Attorney for Applicants

REC

AUG 06 1998

GROUP 3200

**DILWORTH & BARRESE**

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OF COUNSEL

FERNANDA M. FIORDALISI

TO: Examiner Julian WooFROM: Joseph W. SchmidtNO. OF PAGES TO FOLLOW: (11)COMMENTS: Re.: U.S. Appln. 08/889,661

Further to our telephone conference of today, transmitted herewith is a copy of the Preliminary Amendment which was not considered in the Office Action mailed in connection with this application.

IN CASE OF INCOMPLETE OR INADEQUATE TRANSMISSION, PLEASE CALL  
(516) 228-8484.

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AUG 06 1998

GROUP 3200